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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/367,483 10/18/99 INAGAKI

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IM22/0530

EXAMINER

ZIMMER, M

ART UNIT

PAPER NUMBER

1712

AIR MAIL

DATE MAILED:

05/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Response to Amendment

The reply filed on April 30, 2001 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s) described below. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Applicant has indicated that the recitation of a "binding region", prominent throughout the specification, was made improperly due to an erroneous translation of the parent document. Instead, it is asserted that the proper expression should be "binding agent". However, this change does not facilitate a greater understanding of the instant invention. Rather, it raises concerns of new matter insofar as it would seem to imply that the chemical system is constituted of essential compounds other than the primary agent which is a vinyl-functionalized polyorganosiloxane, a crosslinking agent for which an organohydrogensiloxane is contemplated (page 8, lines 3-4) and a platinum catalyst. Additionally, the specification does not delineate the chemical identity of the binding agent. Moreover, replacing "region" with "agent" only convolutes the disclosure further given the context in which said agent is often recited. For instance, page 4, lines 12-14 mention a reacting step in which the gel is crosslinked, "in a binding agent", suggesting that the binding agent serves as the medium in which the reaction is carried out. A similar statement follows at the bottom of page 7. Significantly, in other parts of the specification, the phrase "binding region" has not been changed such as on

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page 5, line 19. Hence, the terminology employed is not homogeneous throughout the document.

Assuming that "binding region" was, in fact, the proper expression, the Examiner is, once more, uncertain as to how to construe this aspect of the invention (see point number two on page 3 of the Examiner's previous Office action). Does binding region actually reflect a specific volume of space within the gel as it is hypothesized in point number three on page 3 of said action? The meaning of the phrase, "where cross-linking density is low" stated on page 4 and again on page 7 is also not readily grasped because, initially, the entire polymer is absent of any crosslinking yet this phrase would appear to purport that some areas of the primary agent are already densely crosslinked *prior to adding the organohydrogensiloxane*. Hence, this description appears to be extremely misleading.

The Examiner had also previously objected to the Applicant's failure to adequately describe the compounding step. This issue has not been addressed by the response received April 30, 2001. The compounding step (page 7, lines 12-15) is credited with providing a gel that meets all of the aforementioned requirements- presumably those listed on page 3 of the specification. Therefore, it is essential that the compounding procedure be elucidated in significant detail.

The Applicant is also advised that, if the updated specification were accepted, numerous new matter issues would be introduced. For example, the phrase, "addition reaction" in the final paragraph of page 7 of the specification has been changed to "additionala reaction". This modification alters entirely the defined invention because it

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implies that there is another reaction besides the crosslinking reaction to be performed. Furthermore, the sentence beginning with, "Adjusting the refractive index..." would also be deemed new matter. (It should be noted that even if the Applicant were to argue existing support for this sentence, its meaning is still not clear to the extent that the Examiner cannot determine what the primary agent is being added to. Also, the word "fluidity" has been improperly replaced with "flexibility."

Applicant is required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art.

Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc S. Zimmer whose telephone number is 703-605-1176. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Dawson can be reached on 703-308-2340. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

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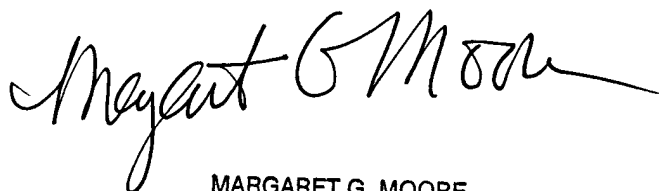
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Marc S. Zimmer

(703) 605-1176

May 25, 2001

A handwritten signature in black ink, appearing to read "Margaret G. Moore". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

MARGARET G. MOORE
PRIMARY PATENT EXAMINER
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